REMARKS

Applicant concurrently files herewith a petition and fee for a three month extension of time.

Claims 1-18 are presently pending in the application. Claims 1-5, 7-12, and 14 have been amended to more particularly define the invention. Claims 15-18 have been added to assure Applicant the degree of protection to which his invention entitles him.

It is noted that the claim amendments are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or to narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Objection was made to claims 1, 3, 4, 10, 12, and 14 due to the lack of colons and semi-colons after certain words. While colons and semi-colons are frequently included in claims and may enhance their readability, there is no statute, rule, or regulation requiring colons or semi-colons at any point in a claim. Nevertheless, in the interest of enhancing readability, colons and semi-colons have been included at appropriate points in the amended claims. Should the Examiner make further objection due to a shortage of colons or semi-colons, he is requested to cite authority for such objection.

Claims 1-7, 9, and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sreedhar, et al., U.S. Patent No. 6,182,284 B1 in view of Sastry, United States Patent Publication No. 2002/0166115 A1. Dependent claims 8 and 10 were rejected under 35

U.S.C. §103(a) as being unpatentable over Sreedhar in view of Sastry, and further in view of

Van Dyke, United States Patent No. 5,175,856. These rejections are respectfully traversed.

The claimed invention is directed to a method, a computer program, and a component

for determining the correctness of a potential interprocedural dead store optimization for an

optimizing compiler, and to an optimizing compiler. The optimizing compiler generates an

intermediate representation of code to be compiled, including a call graph.

The method includes a top-down traversal of the call graph, and, for each procedure

definition reached in the call graph traversal, further includes determining a live on exit set of

variables for the reached procedure definition, determining a live on exit set of variables for

each procedure call point within the reached procedure definition, storing the determined live

on exit set of variables for each procedure call point in a live on exit data structure, and using

the determined live on exit set of variables for the reached procedure definition to determine

variables that are ineligible for interprocedural dead store elimination in the reached

procedure definition.

Sreedhar discloses a method and system for eliminating phi instruction resource

interferences and redundant copy instructions from static-single-assignment-form computer

code. Sreedhar is concerned with translating optimized, intermediate-level, static-single

assignment-form computer code that includes phi instructions into optimized, intermediate-

level computer code without phi instructions. Sreedhar is not concerned with determining

variables that are ineligible for interprocedural dead store elimination.

The Office Action contends that at column 9, lines 39-42 Sreedhar discloses "defining

a live on exit set of variables for the reached procedure definition" and "defining a live on

exit set of variables for each procedure call point within the reached procedure definition."

This contention is traversed. At that location, Sreedhar tells what a LiveOut set is, but does not disclose how anything is determined.

This is a matter of semantics. The original claims used "defining" to indicate that the respective live on exit set of variables had been determined or found. To avoid semantical considerations, this has been amended to "determining."

The Office Action likewise contends that at column 9, lines 39-42 Sreedhar discloses "using the live on exit set of variables for the reached procedure definition to determine the variables." This contention is traversed. At the location Sreedhar tells what a LiveOut set is, but does not disclose how it is determined.

Neither Sastry nor Van Dyke fills the void of Sreedhar. It is accordingly submitted that the claims distinguish patentably from the references.

In view of the foregoing, Applicant submits that claims 1-18, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including
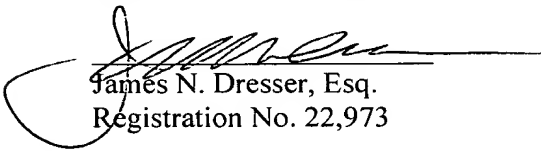
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extension of time fees, or to credit any overpayment in fees to Assignee's Deposit Account

No. 50-0510.

Respectfully Submitted,

Date: _January 18_, 2005

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